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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,882	04/18/2001	Christopher H. Pham	M-9570 US	8340
33031	7590	10/19/2005	EXAMINER	
CAMPBELL STEPHENSON ASCOLESE, LLP 4807 SPICEWOOD SPRINGS RD. BLDG. 4, SUITE 201 AUSTIN, TX 78759			TRAN, MAI T	
			ART UNIT	PAPER NUMBER
			2129	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/837,882		PHAM, CHRISTOPHER H.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Mai T. Tran		2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33-42 is/are allowed.
- 6) ☒ Claim(s) 1-29 and 31-32 is/are rejected.
- 7) ☒ Claim(s) 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

Applicant's amendment dated July 29, 2005, responding to the July 14, 2005 Office Action provided in the rejection of claims 1-32, wherein no claims have been amended. Claims 1-42 remain pending in the application and which have been fully considered by the examiner.

### **CLAIM OBJECTIONS**

**Claim 30** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **CLAIM REJECTIONS - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1-3, 11** are rejected under 35 U.S.C. 102 (b) as being anticipated by A. A. Al-Jumah and T. Arslan, "Artificial Neural Network Based Multiple Fault Diagnosis in Digital Circuits, IEEE (1998), hereinafter referred to as Al-Jumah.

#### **Claim 1**

A method of checking the integrity of one or more input vectors (page II-304, Abstract) to a digital hardware block (Fig. 2, Fig. 4), comprising the steps of:

identifying a set of known bad input vectors (col. 1, lines 28-30, page II-304) for the digital hardware block; and

training checking circuitry to selectively classify future input vectors to the digital hardware block as either good or not good, using the set of known bad input vectors (page II-304, col. 2, 8 lines from bottom until the end of column).

**Claim 2**

The method of Claim 1 further comprising the step of classifying a new input vector of the digital hardware block as not good, using the checking circuitry (page II-306, all of col. 1).

**Claim 3**

The method of Claim 1 wherein said training step trains the checking circuitry to classify as not good both future input vectors which are definitely faulty and future inputs vectors which are potentially faulty (page II-306, col. 2, lines 12-16). Vector classification is determined by the threshold, which is determined by the user.

**Claim 11**

The method of Claim 1, further comprising the step of updating the checking circuitry online (page II-305, col. 1). We are interpreting "updating" as adding new data, and "online" to mean that the computer is on.

**CLAIM REJECTIONS - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims **4-9, 12, 20-27, 29, 31-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, 11 above, and further in view of S. Y. Kung, "Digital Neural Networks", Chapter 2, pages 43-72, Prentice Hall, January 1988, hereinafter referred to as Kung.

Claims **10, 13-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, 11 above, and further in view of Ton.

Claims **16-19, 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, 11 above in view of Ton as applied to claims 10, 13-15, and further in view of Kung.

#### **Claim 4**

Claims 4-9, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, 11 above, and further in view of S. Y. Kung. Al-Jumah discloses substantially all of applicant's claimed invention with the exception of training the network using a feedforward linear associative memory. Kung teaches the use of a feedforward linear associative memory to train a neural network. A person of ordinary skill in the art would be motivated to use such a network for the purpose of designing a network to retrieve patterns in

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one shot. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Al-Jumah as taught by Kung for the purpose of designing a network to retrieve patterns in one shot.

### **Claim 5**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of creating a weight matrix using a discrete Hopfield network algorithm. Kung teaches the use of a discrete Hopfield network algorithm to create a weight matrix.

### **Claim 6**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of calculating the weight matrix W. Kung teaches the calculation of the weight matrix W according to the equation

$$w_{ij} = \sum_{m=1}^M (2a_i^{(m)} - 1) (2b_j^{(m)} - 1)$$

Where  $a_i^{(m)}$  is the set of known bad vectors,  $a_i = b_j$ , M is the number of bad input vectors in the set of known bad input vectors, i is a row locator representing a particular bad vector, and j is a column locator representing a bit location.

### **Claim 7**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of calculating an output vector  $a^{(m)}$ . Kung teaches the calculation of an output vector  $a^{(m)}$  by multiplying the weight matrix W by the new input vector  $b^{(m)}$ , that is,  $a^{(m)} = Wb^{(m)}$ .

**Claim 8**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of adjusting elements of the output vector  $a^{(m)}$ . Kung teaches the adjusting elements of the output vector  $a^{(m)}$  by its respective threshold  $\theta$ , according to the equation

$$\theta_i = -\frac{1}{2} \sum_{j=1}^K w_{ij}$$

Where K is the total number of bits in a vector.

**Claim 9**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of processing each of the adjusted elements. Kung teaches the process of each of the adjusted elements by a respective one of a plurality of non-linear units such that, when a given adjusted element is positive, an output of the corresponding non-linear unit is 1 and, when a given adjusted element is not positive, the output of the corresponding non-linear unit is 0.

**Claim 12**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of training the network using a feedforward linear associative memory. Kung teaches the use of a feedforward linear associative memory neural network having a weight matrix W and reconfiguring the weight matrix W using one or more additional bad input vectors.

**Claim 20**

Claims 20-27, 29, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, 11 above, and further in view of S. Y. Kung. Al-Jumah

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teaches substantially all of applicant's claimed invention. Al-Jumah does not disclose expressly a weight matrix having elements, which are based on a set of known bad input vectors. Kung teaches a weight matrix W having elements, which are input vectors. Therefore, it would have been obvious at the time the invention was made to a person of ordinary skill in the art to combine Al-Jumah in view of Kung for the purpose of having ideal pattern retrieval.

### **Claim 21-22**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of creating the weight matrix using a feedforward linear associative memory. Kung teaches creating the weight matrix using a feedforward linear associative memory.

### **Claim 23**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of the weight matrix W created using a discrete Hopfield network algorithm according to the following equation. Kung teaches the weight matrix W created using a discrete Hopfield network algorithm according to the equation

$$w_{ij} = \sum_{m=1}^M (2a_i^{(m)} - 1) (2b_j^{(m)} - 1)$$

where  $a^{(m)}$  is the set of known bad vectors,  $a_i = b_j$ , M is the number of bad input vectors in the set of known bad input vectors, i is a row locator representing a particular bad vector, and j is a column locator representing a bit location.



**Claim 24**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of calculating an output vector  $a^{(m)}$ . Kung teaches the calculation of an output vector  $a^{(m)}$  by multiplying the weight matrix  $W$  by the new input vector  $b^{(m)}$ , that is,  $a^{(m)} = Wb^{(m)}$ .

**Claim 25**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of adjusting elements of the output vector  $a^{(m)}$ . Kung teaches the adjusting elements of the output vector  $a^{(m)}$  by its respective threshold  $\theta$ , according to the equation

$$\theta_i = -\frac{1}{2} \sum_{j=1}^K w_{ij}$$

Where  $K$  is the total number of bits in a vector.

**Claim 26**

Al-Jumah discloses substantially all of applicant's claimed invention with the exception of processing each of the adjusted elements. Kung teaches the process of each of the adjusted elements by a respective one of a plurality of non-linear units such that, when a given adjusted element is positive, an output of the corresponding non-linear unit is 1 and, when a given adjusted element is not positive, the output of the corresponding non-linear unit is 0.

**Claim 27**

With respect to claim 27, the specific time period given is considered to be within the level of ordinary skill in the art, and in the absence of any showing of an unexpected result is not considered to make the claim patentable.

**Claim 29**

Al-Jumah teaches substantially all of applicant's claimed invention. Al-Jumah does not disclose expressly a weight matrix having elements, which are based on a set of known bad input vectors. Kung teaches a weight matrix  $W$  having elements, which are input vectors. We are interpreting "updating" as adding new data, and "online" to mean that the computer is on.

**Claim 31**

Al-Jumah teaches substantially all of applicant's claimed invention. Al-Jumah does not disclose expressly a weight matrix having elements, which are based on a set of known bad input vectors. Kung teaches a weight matrix  $W$  having elements, which are input vectors. Vector classification is determined by the threshold, which is determined by the user.

**Claim 32**

Al-Jumah teaches substantially all of applicant's claimed invention. Al-Jumah does not disclose expressly a weight matrix having elements, which are based on a set of known bad input vectors. Kung teaches a weight matrix  $W$  having elements, which are input vectors. Official Notice is taken that an associative memory is a content-addressable memory.

**Claim 10, 13-15**

Claims 10, 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, and 11 above, and further in view of Ton. Al-Jumah discloses substantially all of applicant's claimed invention with the exception of the software work-around. Ton teaches the use of software work-around that provides redundancy. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to

modify Al-Jumah as taught by Ton for the purpose of providing redundancy to minimize the service interruption time.

**Claim 16-19**

Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah in view of Ton as set forth above with regards to claims 13-15, and further in view of Kung. Al-Jumah does not teach the use of a linear associative memory. Kung teaches the use of a feedforward linear associative memory to train a neural network. A person of ordinary skill in the art would be motivated to use such a network for the purpose of designing a network to retrieve patterns in one shot. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Al-Jumah as taught by Kung for the purpose of designing a network to retrieve patterns in one shot.

**Claim 28**

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, 11 above in view of Ton as applied to claims 10, 13-15, and further in view of Kung. Al-Jumah teaches substantially all of applicant's claimed invention. Al-Jumah does not disclose expressly a weight matrix having elements, which are based on a set of known bad input vectors. Kung teaches a weight matrix W having elements, which are input vectors. Ton teaches the use of software work-around that provides redundancy. We are interpreting blocking as isolating the faulty components.

**ALLOWABLE SUBJECT MATTER**

**Claims 33-42** are allowed.

The following is an examiner's statement of reasons for allowance: It is the combination of elements set forth in claim 33, and in particular, the selection circuit connected to the checking circuit.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### RESPONSE TO ARGUMENT

Applicant argues:

1. **Rejection of claims 1, 3, and 11 under 35 U.S.C. § 102(b):** that the reference of Al-Jumah does not teach "*classify future input vectors to the digital hardware block as either good or not good.*" The Examiner has already answered this argument in the last Office Action dated July 14, 2005 on page 11. Therefore, it is considered that claim 1 is not patentable over Al-Jumah. Since claim 1 is not considered to be patentable, the claims not separately arranged for are also considered to be unpatentable.
2. **Rejection of claims 4-9, 12, 20-27, 29, 31 and 32 under 35 U.S.C. § 103(a): Al-Jumah in view of Kung:**
  - that "*claims 4-9 and 12 are allowable for the reasons stated above regarding independent claim 1.*" This argument is respectfully disagreed as set forth above. Claims 4-9 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable

over Al-Jumah as applied to claims 1-3, 11 above, and further in view of S. Y. Kung.

- that “*Al-Jumah and Kung taken alone or in combination neither teach nor suggest a circuit including ... as required by independent claim 20.*” This argument is respectfully disagreed. Please refer to the last Office Action dated July 14, 2005 on pages 6-7.
- that the reference of Al-Jumah does not disclose “*selectively classifying future input vectors to the digital hardware block as either good or not good.*” This argument is respectfully disagreed as set forth above.
- Applicant also argues that “*Al-Jumah makes no such teaching with respect to using the claimed weight matrix.*” In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Claim 20 would have been rejected under 35 U.S.C. § 102(b) and not under 35 U.S.C. § 103(a) if Al-Jumah teaches the claimed weight matrix.
- Regarding “*the claimed weight matrix having elements which are based on a set of known bad input vectors.*” The Examiner has already answered this argument in the last Office Action dated July 14, 2005 on page 12 and the motivation for the rejection is found in the reference. Therefore, it is considered that claim 20 is not patentable over Al-Jumah in view of Kung. Since claim 20 is not considered

to be patentable, the claims not separately arranged for are also considered to be unpatentable.

3. **Rejection of claims 10 and 13-15 under 35 U.S.C. § 103(a): Al-Jumah in view of Ton:**

- that “*claim 10 is allowable for the reasons stated above regarding independent claim 1.*” This argument is respectfully disagreed as set forth above. Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, and 11 above, and further in view of Ton.
- that “*Al-Jumah and Ton taken alone or in combination neither teach nor suggest a method ... as required by independent claim 13.*” This argument is respectfully disagreed as set forth above regarding independent claim 1. Applicant also argues that “*providing a software work-around for the faulty hardware block.*” The Examiner has already answered this argument in the last Office Action dated July 14, 2005 on page 13. Moreover, redundancy is part of software maintenance. Therefore, it is considered that claim 13 is not patentable over Al-Jumah in view of Ton. Since claim 13 is not considered to be patentable, the claims not separately arranged for are also considered to be unpatentable.

4. **Rejection of claims 16-19 and 28 under 35 U.S.C. § 103(a): Al-Jumah in view of Ton and Kung:**

- that “*claims 16-19 which depend on claim 13 are allowable.*” This argument is respectfully disagreed as set forth above. Claims 16-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah in view of Ton as set forth above with regards to claims 13-15, and further in view of Kung.

- that “*claim 28 which depends on claim 20 is allowable.*” This argument is respectfully disagreed as set forth above. Claim 28 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Jumah as applied to claims 1-3, 11 above in view of Ton as applied to claims 10, 13-15, and further in view of Kung.

### **CONCLUSION**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### **CORRESPONDENCE INFORMATION**

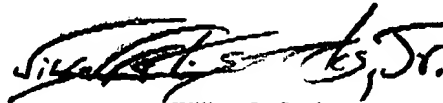
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mai T. Tran whose telephone number is (571) 272-4238. The examiner can normally be reached on M-F 9:00am-- 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Vincent can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.T.T  
Patent Examiner  
Date: 10/6//2005

A handwritten signature in black ink, appearing to read 'Wilbert L. Starks' with a stylized 'Sr.' at the end.

Wilbert L. Starks  
Primary Examiner  
Tech Center 2100